

STANDARD APPLICATION Harford County Board of Appeals Bel Air, Maryland 21014	<div style="border: 2px solid black; padding: 5px; font-size: 1.5em; font-weight: bold;">RECEIVED</div> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> AUG 1 2005 </div>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">Case No.</td> <td>5510</td> </tr> <tr> <td>Date Filed</td> <td>8/9/05</td> </tr> <tr> <td>Hearing Date</td> <td></td> </tr> <tr> <td>Receipt</td> <td></td> </tr> <tr> <td>Fee</td> <td>0.00</td> </tr> </table>	Case No.	5510	Date Filed	8/9/05	Hearing Date		Receipt		Fee	0.00
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HARFORD COUNTY COUNCIL

Shaded Areas for Office Use Only

<p style="text-align: center;">Type of Application</p> <p>_____ Administrative Decision/Interpretation</p> <p>_____ Special Exception</p> <p><u>X</u> Use Variance</p> <p>_____ Change/Extension of Non-Conforming Use</p> <p>_____ Minor Area Variance</p> <p>_____ Area Variance</p> <p>_____ Variance from Requirements of the Code</p> <p>_____ Zoning Map/Drafting Correction</p>	<p style="text-align: center;">Nature of Request and Section(s) of Code _____</p> <hr/> <p style="font-size: 0.8em;"> CASE 5510 MAP 55 TYPE Use Variance ELECTION DISTRICT 03 LOCATION 812 Old Fallston Road, Fallston BY George Martin and Rene Conley, 900 Old Fallston Road, Fallston Appealed because a use variance pursuant to Sec. 267-32 Table I of the Harford County Code to allow construction services in the RR District requires approval by the Board. </p>
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NOTE: A pre-conference is required for property within the NRD/Critical Area or requests for an Integrated Community Shopping Center, a Planned Residential Development, mobile home park and Special Exceptions.

Applicant/Owner (please print or type)

Name George Martin Conley Phone Number 410-803-1200

Address 900 Old Fallston Road, Fallston, Maryland 21047
Street Number Street City State Zip Code

Co-Applicant Rene Conley Phone Number 410-879-5050

Address 900 Old Fallston Road, Fallston, Maryland 21047
Street Number Street City State Zip Code

Contract Purchaser N/A Phone Number N/A

Address N/A
Street Number Street City State Zip Code

Attorney/Representative Mercedes C. Samborsky Phone Number 410-679-2010

Address 309 Garnett Road, Joppa, Maryland 21085
Street Number Street City State Zip Code

Land Description

Address and Location of Property 812 Old Fallston Road
Fallston, Maryland 21047

Subdivision N/A Lot Number _____

Acreage/Lot Size _____ Election District 03 Zoning RR

Tax Map No. 0055 Grid No. 0001B Parcel 0734 Water/Sewer: Private ☒ Public ☐

List ALL structures on property and current use: Single family dwelling used for offices
Monday through Friday

Estimated time required to present case: 1 hour

If this Appeal is in reference to a Building Permit, state number N/A

Would approval of this petition violate the covenants and restrictions for your property? No

Is this property located within the County's Chesapeake Bay Critical Area? Yes ☐ No ☒

If so, what is the Critical Area Land Use designations: _____

Is this request the result of a zoning enforcement investigation? Yes ☒ No ☐

Is this request within one (1) mile of any incorporated town limits? Yes ☐ No ☒

Request

See attached photographs, plat and "Additional Information".
Owner resides on adjacent lot and operates office for existing
business on subject property. Used by self and spouse and 4 employees
Monday through Friday 8:00 - 5:00. No traffic generated. Parking
available on property 18 x 50 pad.

Justification

See attached "Justification"

If additional space is needed, attach sheet to application. In answering the above questions, please refer to the Requirements that pertain to the type of approval request. (Special Exception, Variance, Critical Area or Natural Resource District (NRD) Variance, etc.)

JUSTIFICATION

The requested use variance is needed because the building on the premises (zoned for residential use), as explained below, cannot be rented for residential purposes or sold for residential use. The space used for offices on the premises has expanded so that all of the available rooms in the residence are now used for office space and storage of records.

Septic system difficulties at the premises make sale of the premises for residential use, impossible. The building is on an operational cesspool that prevents residential use. Even if applicants tried to correct the cesspool problem, a perc test is required to conform to County Code. The perc test cannot be performed until the wet season, February, March or April. If the ground doesn't perc the premises can't be sold unless a new septic system meeting county codes is installed. Land in this area does not perc for septic. If the land does perc the cost of the new septic system is approximately \$7,000. If the land does not perc no residential use can be made of the property.

The present septic system supplies the septic needs for employees and applicants in its present state.

The premises cannot be rented for residential use. The well water cannot be used for drinking or cooking because the high iron content discolours water, fixtures and clothing washed in the water. The water gives food a peculiar taste. No tenant will accept the premises for rental unless the iron is removed from the water before use. This is a costly repair. Water from existing well is used for toilet flushing only. Applicants provide employees with drinking water.

The water at 900 (next door), where the applicants' family resides, is supplied from a different well not available to the subject premises.

Photographs of exterior of premises are attached.

